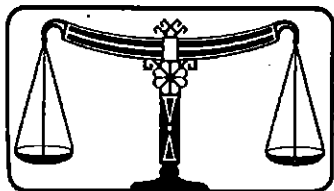


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March 8, 2010

Judiciary Committee  
CT General Assembly  
Legislative Office Building  
Hartford, CT 06106

Attention: Senator Andrew McDonald, Representative Mike Lawlor, Representative Gerald Fox, and members of the judiciary committee

Re: Supporting Raised S.B. No. 230, Session Year 2010

Emailed to [Handley@senatedems.ct.gov](mailto:Handley@senatedems.ct.gov), [John.A.Kissel@cga.ct.gov](mailto:John.A.Kissel@cga.ct.gov), [mlawlor99@juno.com](mailto:mlawlor99@juno.com),  
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Dear Senator McDonald, Representative Lawlor, Representative Fox, and members of the judiciary committee,

Please accept this letter as testimony for my support of S.B. No. 230: *AN ACT CONCERNING THE VIDEOTAPING OF CUSTODIAL INTERROGATIONS*

I am Attorney Anne Eason. My law practice is limited to representing students with disabilities. I am also the co-author of IEP and Inclusion Tips, as well as frequent national speaker, and now, international speaker, on disability advocacy.

I am also the webmaster for [www.friendsofrichardlapointe.com](http://www.friendsofrichardlapointe.com). Richard Lapointe is a man with Dandy Walker syndrome who has been in prison, here in Connecticut, for over 18 years for a crime he did not commit. Thanks to a small band of thoughtful citizens, he will get a new trial this

spring. I have visited Richard at the McDougal Correctional facility in Suffield. I know he is innocent. If Richard's interrogation had been videotaped, he would not be in prison today.

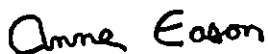
The students I represent often get in trouble and suspended for incidents that they were not responsible for. How does this happen? Many reasons, sometimes they are protecting other students that pretend to be their friends. Sometimes they want to take credit for what has happened so they will seem like a big man on campus. Sometimes the schools assume a student committed an infraction, and the student believes what he is told.

My own daughter has Down syndrome and has confessed to school and home incidents she did not commit. She simply gets flustered and says the wrong thing. Then she is embarrassed to admit to the false confession.

The students I represent will become adults in our society with disabilities. They will become the next generation of individuals who confess to crimes they did not commit. How could this happen? It seems incredulous. Who would confess to a crime they did not commit? Please understand, many of these individuals are eager to please, they do not question authority, and they can easily be misled. They are no match for the trained interrogator. Many individuals with disabilities have lived their lives ashamed of always being seen as incompetent. They look for cues from the interrogator to figure out what they should say. Like you and I, they want to be seen as competent, so they try to wear "the cloak of competence." This leads to bluffing and also agreeing to what is being told to them. Many of these individuals with disabilities have very few friends, and they want to be friends with the interrogator. They may know they have memory gaps and they trust a detective who fills in the gap. Often they do not realize the consequences of their decision to admit to a crime they did not commit simply so they can go home to eat and see their family. Sometimes they simply get tired and give up.

Please support this bill which will improve the reliability of confessions by providing that the statements made by a person during custodial interrogation at a place of detention are presumed inadmissible unless the custodial interrogation is electronically recorded. Let the decision makers in the courts actually see what happened when individuals with disabilities are interrogated.

Respectfully yours,



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